

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.231 of 2017

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Md. Taslimuddin, Son of Badruddin, Resident of Village- Nayabasti Udgara,
P.O. and P.S. Pothiya, District- Kishanganj.

... .. Appellant/s

Versus

Hakima Khatoon, Wife of Md. Taslimuddin, Daughter of Late Md. Hafiz
Resident of Village- Nayabasti Udgara, P.O. and P.S. Pothiya, District-
Kishanganj, at present residing at Pashimbasti Dhantola, P.S. Islampur,
District- Uttar Dinazpur West Bengal.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Utsav Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

4 08-02-2019 The appellant is aggrieved by the order dated

02.11.2016 passed in Maintenance Case No. 18 of 2016 filed

under section 125 of the Code of Criminal Procedure.

The order impugned in this appeal shows that the

Maintenance Case No. 18 of 2016 was allowed with direction to

the appellant/opposite party to pay Rs. 4000/- to the

applicant/respondent and Rs. 2000/- to the minor son by way of

maintenance under section 125 of the Code of Criminal

Procedure.

In view of the legal position settled as to the forum

available to an aggrieved party by an order passed by the Family



Court in exercise of jurisdiction vested under section 125 of the Code of Criminal Procedure since reported in 2008(4) *P.L.J.R. page 817 (Raj Kumar Sah Versus State of Bihar)* particularly paragraphs 8 onwards of the judgment, as prayed, learned counsel appearing for the appellant is permitted to convert this appeal into a Criminal Revision within a period of four weeks, failing which this appeal shall stand rejected without further reference to the Bench.

It goes without saying that no sooner this appeal is converted as a Criminal Revision and is registered that Misc. Appeal No. 231 of 2017 shall stand disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Shailendra/-

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